

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

525A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUN 19 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 185, Item 326.
Last assessed to: Richard W. Schultz and Joan M. Schultz.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Richard W. Schultz and Joan M. Schultz., last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 824030007-2;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Richard W. Schultz and Joan M. Schultz in the amount of \$9,020.83, no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: (Continued on page two)



Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 9,020.83	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012-13

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: 

Karen L. Johnson

County Executive Office Signature


FORM APPROVED BY COUNTY COUNSEL
BY: DALE A. GARDNER
DATE: 6/11/12
Departmental Concurrence

Policy
 Policy
 Consent
 Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: November 20, 2012
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: 

Deputy

Prev. Agn. Ref.: | District: 4/4 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.11

Dep't Recomm.:
Per Exec. Ofc.:

BOARD OF SUPERVISORS

Form 11:

Page 2

BACKGROUND: (Continued)

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the March 16, 2010 public auction sale. The deed conveying title to the purchasers at the auction was recorded April 26, 2010. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 3, 2010, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Richard W. Schultz and Joan M. Schultz based on a Quitclaim Deed recorded April 6, 1976 as Instrument No. 45202.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Richard W. Schultz and Joan M. Schultz be awarded excess proceeds in the amount of \$9,020.83. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 185 Item 326 Assessment No.: 824030007-2

Assessee: SCHULTZ, JOAN M & RICHARD W

Situs:

Date Sold: March 16, 2010

Date Deed to Purchaser Recorded: April 26, 2010

Final Date to Submit Claim: April 26, 2011

RECEIVED
2010 JUN 16 AM 9:36
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ _____ from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 56180; recorded on 6-12-1970. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

1. Letter from Division of Highway dated (6-18-1970) (copy)
2. Directors Deed - 2 Pages (copies)
3. Notary Public page with date stamped (copy)
4. Letter from Desiree Taylor (copy)
5. Claim for Excess Proceeds from Sale Item 326 (original)

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of June, 2010 at Orange County - California
County, State

Richard W. Schultz
Signature of Claimant

Joan M Schultz
Signature of Claimant

RICHARD W. SCHULTZ
Print Name

JOAN M. SCHULTZ
Print Name

6507-HAVENWOOD Circle
Street Address

6507-HAVENWOOD Circle
Street Address

HUNTINGTON Beach, CA 92648
City, State, Zip

HUNTINGTON Beach, CA 92648
City, State, Zip

714 960-4606
Phone Number

714 960-4606
Phone Number

RECORDING REQUESTED BY

45202

Palo Verde Irrigation District

AND WHEN RECORDED MAIL TO

Name: Palo Verde Irrigation District
Street Address: P. O. Box 1199
City: Blythe, California 92225

RECEIVED FOR RECORD

APR 6 1976

30 Min. Post 9 o'clock A.M.
At Request of
Palo Verde Irrig. Dist.
Post 1194 Box 45202
Blythe, California
of Riverside County, California

W.D. Balogh Recorder

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Doc. Trans. Fee -0-
Property not in incorporated city
Bertha Sulier *Bertha Sulier*

QUITCLAIM DEED

PALO VERDE IRRIGATION DISTRICT, hereinafter called "District", by virtue of the authority vested in it by the Palo Verde Irrigation District Act, having duly received a deed to the hereinafter described real property from the Collector of said District after nonpayment of taxes or water tolls or both and proceedings under said Act having been duly taken, for a valuable consideration, does hereby remise, release and forever quitclaim to Richard W. Schultz Joan M. Schultz all of said District's right, title and interest in the following described real property located in the County of Riverside, State of California:

That part of that portion of the Northwest quarter of the Southeast quarter of Section 31, T6S, R22E, S.B.B.&M., according to U.S. Government Survey approved October 6, 1856, as conveyed in deed to the State of California recorded May 25, 1967, Document No. 45214 Riverside County Official Records, lying Southerly of the following described line: Beginning at a point on the West line of the Northwest quarter of the Southeast quarter of said Section 31, distant along said line S 1°34'28" E, 808.13 feet from the Northwest corner of said Southeast quarter; thence S 71°48'06" E, 523.57 feet to a tangent curve; thence Southeasterly along said curve concave Northerly, with a radius of 6,100 feet, through an angle of 8°14'06", a distance of 875.74 feet to a point on the East line of the Northwest quarter of said Southeast quarter, distant along said line N 00°55'20" W, 111.58 feet from the Southeast corner of said Northwest quarter.

SUBJECT, HOWEVER, to an easement in favor of the public for all public roads heretofore dedicated, acquired reserved or excepted for public use and also subject to any and all private easements and rights of way for roads, ditches or canals on, over, under or across the land hereby conveyed, existing for the purpose of ingress to and egress from other lands by means of said roads and for the purpose of conveying irrigating water to such other lands by means of said ditches and canals.

EXCEPTING AND RESERVING to said District, its successors and assigns:

- (a) All riparian and other rights to the waters of the Colorado River pertaining or appurtenant to said lands; and
- (b) All water on or in said lands and all rights thereto, together with the perpetual right, from time to time and as often as necessary, to enter and remove said water from said land and to convey the same therefrom for sale or use on other lands; and
- (c) The perpetual and continuing right to use, operate, maintain, construct, reconstruct, enlarge, deepen, widen, repair and replace any and all such works and structures, including, without limiting the generality of the foregoing, irrigation and drainage canals, laterals, ditches, pipes, flumes, roads, bridges, levees, borrow pits, spoil banks, gates, head-gates, telephone and power lines, as now are or heretofore have been built, constructed, used or maintained by said District on, over, under and across said land, for any of the purposes authorized by said Palo Verde Irrigation District Act, and the perpetual and continuing right to build, construct, reconstruct, enlarge, deepen, widen, repair, replace, maintain, use and operate one or more of such works or structures on, over, under and across said land as may be necessary or convenient for the accomplishment of any of the purposes of said Act. The rights herein excepted and reserved shall not be exhausted by the construction or location on or in said land of one of such works or structures, but said rights may be exercised from time to time as said District may find necessary or convenient.

IN WITNESS WHEREOF, said Palo Verde Irrigation District, has executed this Quitclaim Deed by its _____ President and _____ Secretary, as duly authorized by Resolution of its Board of Trustees, this 9th day of Mar. 1976.

PALO VERDE IRRIGATION DISTRICT

By Robert A. Miccalizio President
By Bertha Sulier Secretary
(Mrs.) Bertha Sulier

(SEAL)

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

On this 2nd day of April, 1976, before me, Chauvin A. Bellet Jr., a Notary Public in and for said County and State, personally appeared Robert A. Miccalizio, known to me to be the _____ President, and Bertha Sulier, known to me to be the _____ Secretary of the Palo Verde Irrigation District, the Irrigation district that executed the within instrument, and also known to me to be the persons who executed the within instrument on behalf of said Irrigation district, and acknowledged to me that said Irrigation district executed the same.

WITNESS my hand and official seal.

Chauvin A. Bellet Jr.
Notary Public in and for said County and State.

END RECORDED DOCUMENT

W. D. BALOGH, COUNTY RECORDER

MAIL TAX STATEMENTS TO: Richard W. Schultz, 18586 San Felipe Fountain Valley, California 92708

DEPARTMENT OF PUBLIC WORKS

DIVISION OF HIGHWAYS

DISTRICT 11, P. O. BOX 390, SAN DIEGO 92112



June 18, 1970

Certified Mail
Return Receipt Requested

11-Riv-10
146.6
R/W D-12282
Sale Parcel #2

Mr. Richard W. Schultz
18586 San Felipe
Fountain Valley, California 92708

Dear Mr. Schultz:

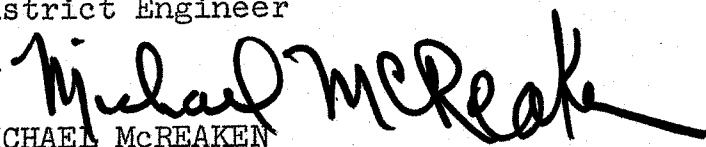
Enclosed herewith is the deed to the property recently acquired by you from the State of California. This deed was recorded June 12, 1970 as Document No. 56180 in the Official Records of Riverside County.

Thank you for your cooperation during this transaction.

Sincerely yours,

J. DEKEMA
District Engineer

By


MICHAEL McREAKEN
Right of Way Agent

Enclosure

56180

State Division of Highways
When recorded mail to
P. O. Box 390
San Diego, California 92112

DOCUMENTARY TRANSFER TAX \$ 1.10

COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR
 COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING THEREON AT TIME OF SALE.

Michael McKesken Dw of Hump
Signature of declarant or agent determining tax — Firm Name

Unincorporated Area City of _____

RECEIVED FOR RECORD

JUN 12 1970

35 Min. Past 2 o'clock P M
At Request of

STATE OF CALIFORNIA

Recorded in Official Records
of Riverside County, California

W.D. Balogh

Recorder
FEE \$ 3.60

Microfilm recording from 4-1-65. Book and page
no longer assigned. Identify by account number
and year of filing.

2 60

SPACE ABOVE THIS LINE FOR RECORDING **INDEXED**

DIRECTOR'S DEED

137

DISTRICT	COUNTY	ROUTE	P.M.	NUMBER
11	Riv	10	146.6	R/W D-12282

MAY 1970

The STATE OF CALIFORNIA, acting by and through its Director of Public Works, does hereby grant to
RICHARD W. SCHULTZ and JOAN M. SCHULTZ, husband and wife as joint tenants

all that real property in the _____

County of Riverside, State of California, described as:

That part of that portion of the Northwest quarter of the Southeast quarter of Section 31, T. 6 S., R. 22 E., S.B.M., according to U.S. Government Survey approved October 6, 1856, as conveyed in deed to the State of California recorded May 25, 1967, Document No. 45214, Riverside County Official Records, lying Southerly of the following described line:

Beginning at a point on the West line of the Northwest quarter of the Southeast quarter of said Section 31, distant along said line S.1°34'28"E., 808.13 feet from the Northwest corner of said Southeast quarter; thence S.71°48'06"E., 523.67 feet to a tangent curve; thence Southeasterly along said curve concave Northerly, with a radius of 6,100 feet, through an angle of 8°14'06", a distance of 875.74 feet to a point on the East line of the Northwest quarter of said Southeast quarter, distant along said line N.00°55'20"W., 111.58 feet from the Southeast corner of said Northwest quarter.

The above described real property is landlocked and without any direct access to the freeway or to any public or private road, and Grantee hereby relieves the State of any liability to provide access.

There shall be no abutter's rights of access appurtenant to the above

MAIL TAX
STATEMENTS TO: RICHARD W. SCHULTZ
18586 San Felipe
Fountain Valley, California 92708

PAID
Doc. Transfer Tax
W. D. BALOGH
RIV. CO. RECORDER

described real property in and to the adjacent State freeway.

The bearings and distances used in the above description are on the California Coordinate System, Zone 6. Multiply distances shown by 1.0000550 to obtain ground level distances.

56180

Subject to special assessments if any, restrictions, reservations, and easements of record.

This conveyance is executed pursuant to the authority vested in the Director of Public Works by law and, in particular, by the Streets and Highways Code.

WITNESS the hand of the Director of Public Works, and the seal of the Department of Public Works of the State of California, this 25 day of May, 1970.

APPROVED AS TO FORM AND PROCEDURE

E. J. Connor
ATTORNEY
DEPARTMENT OF PUBLIC WORKS

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

JAMES A. MOE
DIRECTOR OF PUBLIC WORKS

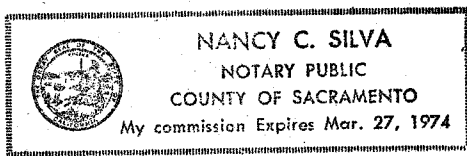
H. H. Hoover

H. H. HOOVER
Special Assistant
to the Director

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ss.

On this 25th day of May, in the year 1970, before me, NANCY C. SILVA, a Notary Public in and for the State of California, residing therein, duly commissioned and sworn, personally appeared H. H. Hoover, known to me to be the Special Assistant to the Director Director of the Department of Public Works of the State of California, described in and that executed the within instrument, and also known to me to be the person who executed the same on behalf of the State of California therein named and he acknowledged to me that the State of California executed the same.

WITNESS my hand and official seal.



Nancy C. Silva
Notary Public

THIS IS TO CERTIFY That the California Highway Commission has authorized the Director of Public Works to execute the foregoing deed at its meeting regularly called and held on the

21st day of May, 1970

in the City of Monterey

Dated this 25th day of May, 1970

Harold A. Richard

HAROLD A. RICHARD
Assistant Secretary of the
California Highway Commission

56180

6-7-2010

Dear Alice:

I am sending the paperwork you requested for Excess money claim from sale of our property.

I know you said a certain amount of time has to be before money can be sent to us. We request that it be sent as soon as you passably can as we are not so young anymore, and my husband is ill.

Thank you for your attention in this matter.

Regards

Richard W and Joan M. Schultz

6507 - Havenwood Circle

Huntington Beach, Ca 92648

1-714-960-4606

Recorder Rec. # 56180 - 6-12-1970 -

new purchasers. Recorded April 26, 2010 -